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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,121	02/10/2004	Richard M. Webber	H-365	2120

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EXAMINER	
THOMAS, BRANDI N	

ART UNIT	PAPER NUMBER
2873	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/708,121	WEBBER ET AL.	
	Examiner	Art Unit	
	Brandi N. Thomas	2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13,22 and 23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *22 and 23* is/are allowed.

6)☒ Claim(s) *2,4 and 7-9* is/are rejected.

7)☒ Claim(s) *1,3,5,6 and 10-13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

RICKY MACK
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/2705*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *Detailed Action*.

DETAILED ACTION

Information Disclosure Statement

1. Acknowledgement is made of receipt of Information Disclosure Statement(s) (PTO-1449) filed 5/27/05. An initialed copy is attached to this Office Action.

Claim Rejections - 35 USC § 102

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 5, 6, and 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Duthaler et al. (US 2003/0214697 A1).

Regarding claim 1, Duthaler et al. discloses, in figures 18A-18C, an electro-optic display comprising a layer of solid electro-optic material (410) (section 0159), at least one electrode (430) disposed adjacent the layer of electro-optic material (410) (section 0159 and 0160), and a layer of a lamination adhesive (450) interposed between the electro-optic material (410) and the electrode (430) (section 0160), the lamination adhesive (450) having a higher electrical conductivity in a direction perpendicular to the layer of lamination adhesive (450) than in the plane of the layer (section 0170 and 171).

Regarding claim 3, Duthaler et al. discloses, in figures 18A-18C, an electro-optic display, wherein the lamination adhesive (450) comprises a plurality of conductive particles dispersed in a substantially non-conductive matrix (section 0171).

Regarding claim 5, Duthaler et al. discloses, in figures 1-3, an electro-optic display, wherein the conductive particles (50) are formed from a semiconducting polymer (section 0013 and 0057).

Regarding claim 6, Duthaler et al. discloses, in figures 1-3, an electro-optic display, wherein the conductive particles (50) are formed from a low conductivity material having a polar material absorbed on its surface to increase its conductivity (sections 0071, 0076, and 0084).

Regarding claim 10, Duthaler et al. discloses, in figures 18A-18C, an electro-optic display, wherein the lamination adhesive (450) comprises a plurality of magnetizable particles dispersed in a substantially non-magnetizable matrix (section 0171).

Regarding claim 11, Duthaler et al. discloses, in figures 18A-18C, an electro-optic display, wherein the magnetizable particles comprise an iron oxide (section 0171).

Regarding claim 12, Duthaler et al. discloses, in figures 18A-18C, an electro-optic display, wherein the electro-optic material (410) is a rotating bichromal member, microcell, electrochromic, or electrophoretic material (section 0159).

Regarding claim 13, Duthaler et al. discloses, in figures 18A-18C, an electro-optic display, wherein the electro-optic material (410) is an encapsulating electrophoretic material (section 0159).

Allowable Subject Matter

3. Claims 22 and 23 are allowed.

4. Claims 2, 4, 7-9 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in claim(s) 2, 4, 7-9, 22, and 23, wherein the claimed invention comprises an electro-optic display wherein the lamination adhesive has a conductivity of less than about 10^{-10} S/cm in the plane of the adhesive layer and a conductiviy greater than about 10^{-9} S/cm perpendicular to this plane; wherein the conductive particles have a conductiviy greater than about 10^{-9} S/cm; wherein the matrix has a conductivity less than about 10^{-10} S/cm; wherein the matrix comprises a gellable material; and an article of manufacture comprising: a layer of adhesive having a higher electrical conductivity in a direction perpendicular to the layer of lamination adhesive than in the plane of the layer, as claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N. Thomas whose telephone number is 571-272-2341. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BNT

RICKY MACK
PRIMARY EXAMINER